GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – PR&RD Department - Sri B.Appala Naidu, Dy.EE (PR), Visakhapatnam (now retired) - Allegation of acquisition of assets disproportionate to the known sources of income - Prosecution sanction accorded and charge sheet filed – Acquitted by the Special Judge for SPE & ACB Cases–cum-III Additional District Judge, Visakhapatnam in CC No.56 of 2006 - Criminal Appeal filed in the Hon'ble High Court is pending – Permission for releasing the retirement benefits – Regularization of suspension period - Orders – Issued.

PANCHAYAT RAJ AND RUARAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 74 **Dated: 10-02-2025**
Read the following:-

1. From the DG, ACB, Hyderabad, Final Report, dt.10.02.2006.
2. G.O.Ms.No.444, PR&RD (Vig.II) Dept., dt.24.10.2006.
3. Judgement, dt.05.03.2020 of Special Judge for SPE & ACB Cases–cum-III Additional District Judge, Visakhapatnam in CC.No.56/2006.
4. Govt. Memo No.789/VIG.I/2022, dt.24.12.2021.
5. Crl. Appeal No.120 of 2022 filed before the Hon'ble A.P.High Court on 14.3.2022
6. G.O.Rt.No.534, PR&RD (VIG.I) Dept., dt.11.09.2023.
7. Representation of Sri B.Appala Naidu, Dy.EE (PR)(Retired), dt.24.10.2024.

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Whereas in the reference 2nd read above, Government have accorded sanction for prosecution against Sri B.Appala Naidu, Deputy Executive Engineer, as per the recommendation of the DG, ACB, for acquisition of assets disproportionate to the known sources of income, for the offense punishable under sub-section (2) of Section 13 read with clause (e) of sub-section 13 of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988) and for any other cognate offenses punishable under any other provision of Law for the time being in force in respect of the above said act and for taking cognizance of the said offenses by the Court of competent jurisdiction.

2. In the reference 3rd read above, Special Judge for SPE & ACB Cases–cum-III Additional District Judge, Visakhapatnam has pronounced Judgment is as follows:

> "The Accused Officer found not guilty of the charge under Sec.13 (e) of Prevention of Corruption Act, 1988 and he is acquitted under Sec.248 (1) of Cr.P.C for the said charge".

3. In the reference 5th read above, Criminal Appeal No.120 of 2022 was filed before the Hon'ble High Court of AP on 14.3.2022 on the above acquittal orders. The appeal is pending before the High Court of AP.

4. In the reference 6th read above, Government after following due procedure have imposed a penalty of ten percent (10%) cut in pension for a period of five (5) years against Sri B.Appala Naidu, Deputy, Executive Engineer (PR), Visakhapatnam (now retired) under Rule-9 of A.P.Revised Pension Rules, 1980, for violation of AP Civil Services (Conduct) Rules, 1964, in departmental action.

(P.T.O)

5. In the reference 7th read above, the individual has requested for regularization of suspension period, release his retirement benefits and to effect notional promotions based on his acquittal vide judgment on 05.03.2020 of the Special Judge for SPE & ACB Cases–cum-III Additional District Judge, Visakhapatnam in CC No.56/2006 irrespective of Crl.Appeal No.120 of 2022 on 14.3.2022 filed by the DG, ACB before the Hon'ble A.P.High Court.

6. After careful examination of the matter, Government have observed that in the present case, in the departmental action, the CO, Sri B.Appala Naidu was awarded ten percent (10%) cut in pension for a period of five (5) years as such the suspension period of the CO, Sri B.Appala Naidu i.e., from 14.05.2003 to 31.12.2005 is hereby regularized as "NOT ON DUTY" under FR 54 B (7) r/w (5).

7. Further, permission is hereby accorded to the ENC, PR to release the admissible pensionary benefits to the Accused Officer, as per rules in force, subject to outcome of judgement in Crl.Appeal No.120 of 2022, filed before the Hon'ble High Court of Andhra Pradesh.

8. The Engineer–in-Chief, PR, AP, Vijayawada, shall take further necessary action in the matter accordingly, duly considering the other punishments, imposed earlier.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer–in-Chief, PR, AP, Vijayawada
Sri B.Appala Naidu, Dy.EE (PR), Visakhapatnam (now retired) **through** the Engineer–in-Chief, PR, AP, Vijayawada.
Copy to
The Principal Accountant General (A&E), AP, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER